

# 106<sup>th</sup> TN General Assembly

## First Regular Session



**Thursday, February 19, 2009**

Senate – 6<sup>th</sup> Legislative Day      House – 6<sup>th</sup> Legislative Day

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### SENATE

#### BILLS / RESOLUTIONS

SB's 1949 – 1956 were introduced and passed on first consideration.

- SR 0022 by \*Faulk**  
Memorials, Public Service - Lauren Lyke, Prudential Spirit of Community Award Distinguished Finalist -
- SR 0023 by \*Stanley**  
Memorials, Public Service - Doug Warner, Germantown Lions Club Citizen of the Year -
- SR 0024 by \*Stanley**  
Memorials, Recognition - Steve Veesart -
- SJR 0078 by \*Johnson, Herron, Faulk, Finney L, Norris, Kyle**  
Memorials, Retirement - Gary Myers -
- SJR 0079 by \*Tracy**  
Memorials, Recognition - James M. Buchanan -
- SJR 0080 by \*Tracy**  
Memorials, Death - Jennifer Lynn Price Mason -
- SJR 0081 by \*Stewart**  
Naming and Designating - Designates 2010 as "Tanasi/Tennessee Native American History Year." -
- SJR 0082 by \*Stewart, Henry, Herron**  
Memorials, Recognition - Tennessee's Native American Tribes and Nations -
- \*SJR 0083 by \*Henry, McNally, Crowe, Tate, Ketron, Bunch, Burchett, Stanley, Marrero B, Southerland**  
General Assembly, Statement of Intent or Position - Expresses sense that United States and Tennessee should combat global climate change through the adoption of a fair and effective approach that safeguards American jobs, ensures affordable energy for America, and maintains America's global competitiveness. -
- SJR 0084 by \*McNally, Yager**  
Memorials, Retirement - Lawrence Hahn -
- \*SJR 0085 by \*McNally, Crowe**  
Memorials, Government Officials - Urges department of health to enhance current immunization activities to focus on vaccination of all children ages six months through 18 years of age, as recommended by National Advisory Committee for Immunization Practices. -
- \*SJR 0086 by \*Henry**  
General Assembly, Statement of Intent or Position - Expresses sense that United States and Tennessee should combat global climate change through the adoption of a fair and effective approach that safeguards American jobs, ensures affordable energy for America, and maintains America's global competitiveness. -

(Senate Resolutions cont.)

**SJR 0087 by \*Marrero B**

Memorials, Public Service - Katie Ayres, Prudential Spirit of Community Award Distinguished Finalist -

**SJR 0088 by \*Black**

Memorials, Recognition - Robertson County Farm Bureau Women -

**SJR 0089 by \*Black**

Memorials, Sports - Ellis Middle School, girls basketball -

**SJR 0090 by \*Black**

Memorials, Personal Occasion - Mr. and Mrs. Johnson fiftieth anniversary -

**\*SB 1956 by \*Crowe**

Food and Food Products - As introduced, exempts 501(c)(3) organizations from certain regulations for food service establishments when food is handled by volunteers or served to the homeless. - Amends TCA Title 68, Chapter 14, Part 3.

**\*SB 1957 by \*Burchett (HB 1682 by \*Brooks H )**

School Transportation - As introduced, changes limitation on maximum time in transit to or from school from one and one-half hours each way to one hour each way. - Amends TCA Section 49-6-2105.

**\*SB 1958 by \*Burchett**

Taxes, Sales - As introduced, reduces from 90 to 60 days period in which dealer can be reimbursed on refunded item for sales tax collected but not yet remitted to commissioner. - Amends TCA Title 67, Chapter 6.

**SB 1959 by \*Crowe (\*HB 1182 by \*Ford )**

Gas, Petroleum Products, Volatile Oils - As introduced, requires department of agriculture to promulgate rules and regulations to ensure that gasoline that is not gasoline-alcohol blend is available for distribution or retail in each county. - Amends TCA Title 47, Chapter 18, Part 13.

**SB 1960 by \*Crowe (\*HB 1727 by \*Mumpower )**

Insurance, Health, Accident - As introduced, requires health insurance policies and contracts to cover treatment of lymphedema. - Amends TCA Title 56.

**\*SB 1961 by \*Crowe**

General Assembly, Studies - As introduced, creates select oversight committee on veterans affairs. - Amends TCA Title 3, Chapter 15.

**SB 1962 by \*Yager (\*HB 1675 by \*Windle )**

State Employees - As introduced, permits the commissioner of correction to specifically deny in writing an employee's request to examine investigative records and reports of the internal affairs division of the department of ongoing investigations prior to a due process hearing at which disciplinary action is considered or issued. - Amends TCA Section 10-7-504.

**SB 1963 by \*Ketron (\*HB 1684 by \*Brooks H )**

Schools, Charter - As introduced, requires applications for establishment of charter schools to provide, in addition to the names and addresses of the members of the governing body, a telephone number or email address for each member. - Amends TCA Title 49, Chapter 1.49, Part 2; Title 49, Chapter 13 and Title 49, Chapter 3.

**\*SB 1964 by \*Black**

Evidence - As introduced, removes the prohibition that the failure to wear a seat belt is inadmissible into evidence in a civil action. - Amends TCA Section 55-9-604.

**SB 1965 by \*Johnson (\*HB 1732 by \*Hackworth, Hensley )**

TennCare - As introduced, requires the bureau of TennCare to reimburse crossover claims for full benefit dual eligibles at 100 percent of the Medicare allowable charge for pharmacy services. - Amends TCA Title 71, Chapter 5.

**SB 1966 by \*Bunch (\*HB 1714 by \*Kelsey )**

General Assembly - As introduced, eliminates reimbursement for airline travel by members of the general assembly living 100 miles or more from Nashville to Nashville during legislative sessions; prohibits reimbursement for airline travel to instate committee meetings; limits reimbursement for airline travel to out-of-state committee meetings to one ticket per year. - Amends TCA Section 3-1-106.

## **SECOND CONSIDERATION**

2/12/09

LOCAL, HELD ON DESK – SB 585.

COMMERCE, LABOR & AGRICULTURE – SB's 313, 321, 324, 381, 395, 402, 403, 406, 412, 430, 431, 432, 435, 467, 469, 472, 486, 487, 489, 491, 492, 495, 503, 538, 540, 545, 549, 552, 571, 582, 583, 596, 597, 598, 599, 601, 607.

ENVIRONMENT, CONSERVATION & TOURISM – SB's 404, 577.

EDUCATION – SB's 293, 311, 319, 320, 377, 411, 415, 417, 421, 422, 433, 452, 477, 482, 483, 512, 513, 546, 566, 568, 569, 570, 611.

FINANCE, WAYS & MEANS – SB's 315, 316, 317, 390, 448, 473, 484, 496, 498, 502, 509, 514, 515, 516, 525, 530, 533, 561, 562, 563, 574, 610.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SB's 408, 409, 416, 425, 439, 441, 442, 443, 446, 451, 453, 454, 455, 457, 459, 460, 464, 465, 466, 470, 485, 488, 507, 508, 526, 588, 606.

GOVERNMENT OPERATIONS – SB's 302, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 369, 370, 371, 372, 373, 374, 375, 376, 378, 380, 434, 462, 567.

JUDICIARY – SB's 292, 294, 295, 297, 306, 307, 310, 312, 314, 325, 379, 383, 386, 388, 391, 392, 394, 410, 413, 420, 423, 426, 427, 429, 436, 437, 444, 449, 450, 456, 458, 461, 468, 474, 475, 476, 480, 481, 493, 497, 499, 501, 505, 511, 518, 519, 520, 521, 522, 523, 527, 528, 534, 537, 539, 541, 542, 548, 553, 554, 555, 559, 560, 565, 575, 576, 578, 579, 581, 586, 589, 590, 591, 592, 593, 594, 595, 602, 609, 612.

STATE & LOCAL GOVERNMENT – SB's 296, 298, 299, 303, 304, 305, 308, 309, 318, 322, 368, 399, 407, 414, 419, 424, 438, 440, 445, 463, 478, 490, 494, 506, 510, 517, 524, 529, 531, 535, 543, 544, 547, 550, 551, 556, 557, 564, 572, 573, 580, 587, 600, 603, 604, 605, 614, 615.

TRANSPORTATION – SB's 300, 301, 323, 382, 387, 389, 393, 396, 397, 398, 400, 401, 405, 428, 447, 471, 479, 500, 504, 532, 536, 558, 584, 608, 613.

DELAYED BILLS – SB 418.

## **THIRD CONSIDERATION**

### **Consent Calendar:**

HJR's 54, 55, 56, 57, 58, 63, 64 – CONCURRED 31-0.

HJR's 65, 71, 72, 74, 81, 84, 85, 86 – CONCURRED 31-0.

HJR 87 – RE-REF to Calendar.

HJR's 89, 91, 93, 94, 95, 96, 97, 98, 101, 102 – CONCURRED 31-0.

SJR's 57, 58, 59, 60, 61, 62, 64 – ADOPTED 31-0.

SJR 65 – RE-SET to 2/23/09.

SJR's 67, 68, 69, 70, 71, 73, 75, 76, 78, 79, 80 – ADOPTED 31-0.

SJR 82 – RE-REF to Calendar.

SR 12 – RE-SET to 2/23/09.

SR's 13, 14, 21, 22 – ADOPTED 31-0.

## **OTHER ACTION**

SB's 106, 377, 1592 – WITHDRAWN.

## **COMMITTEE CALENDARS FOR TUESDAY, FEBRUARY 24, 2009**

COMMERCE, LABOR & AGRICULTURE – SHR #12 – 1:30 p.m. –

SB's 59, 210, 286, 467, 431, 395, 492, 430. Panel discussion with TN Realtors.

EDUCATION – SHR #12 – 3:30 p.m. –

SB 217. Presentation from the TN Arts Commission; Presentation concerning the federal stimulus.

ENVIRONMENT, CONSERVATION & TOURISM – SHR #12 – 11:30 a.m. –

NO BILLS ON NOTICE – committee will meet. Forestry Commission report; Report on Port Royal State Historic Park in Montgomery County.

(2/24/09 Committee Calendars cont.)

STAT & LOCAL GOVERNMENT – SHR #12 – 8:30 a.m. –

Consent: HJR 68, SJR 14.

Regular: SB 114, 318. Update by the Comptroller's Office regarding property tax freeze.

TRANSPORTATION – SHR #12 – 10:30 a.m. –

Consent: SB's 184, 214, 256, 178.

Regular: SB's 26, 115, 268, 242, 389, 200, 393, 58. Presentation: Commissioner Dave Mitchell.

### **COMMITTEE CALENDARS FOR WEDNESDAY, FEBRUARY 25, 2009**

FINANCE, WAYS & MEANS – SHR #12 – 3:00 p.m. –

SJR 11, SB's 315, 317. Presentations: David Lillard, TN State Treasurer; Jim White, Director, Fiscal Review Committee.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 11:00 a.m. –

SB's 442, 443, 108, 91, 408, 588. Presentation: Dr. Jacqueline Hampton, Center for AIDS Disparity Research.

GOVERNMENT OPERATIONS – SHR #12 – 10:00 a.m. –

SB's 327, 328, 330, 331, 334, 335, 336, 337, 338, 339, 343, 344, 345, 346. Sunset Hearings progress report.

JUDICIARY – SHR #12 – 1:00 p.m. –

SB 306, SR's 20, 15, 16, 17, 18, 19, SB's 511, 110, 112, 113, 284, 291, 192, 201, 1097. Presentation: Incarceration Costs.

### **MESSAGE FROM THE GOVERNOR**

SJR's 2, 3, 4, 5, 8, 9, 12, 13, 17, 18, 20, 21, 22, 23, 24, 26, 27, 29, 31, 32, 33, 34, 35, 36, 43 – SIGNED 2/18/09.

### **CALENDARS FOR, FEBRUARY 23, 2009**

#### **Consent**

**1. \*SB 0283 by \*Black (HB 0451 by \*Dunn)**

Local Education Agency - As introduced, requires, rather than encourages, school districts to include certain criteria in policies prohibiting harassment, intimidation, or bullying. - Amends TCA Section 49-6-1016.

**2. \*SB 0316 by \*Kyle, Barnes, Berke (HB 0418 by \*Fitzhugh, Turner M)**

Public Funds and Financing - As introduced, extends from June 30, 2005, to June 30, 2011, the date until which the funding board has discretion to sell bonds at private sale. - Amends TCA Title 9, Chapter 9 and previously enacted bond acts.

#### **Regular**

**1. SB 0017 by \*Stanley (\*HB 0074 by \*Matlock, Sargent, Harwell, Armstrong, Fitzhugh)**

Public Funds and Financing - As introduced, revises qualifications of issuer of surety bonds used as collateral by state depositories to secure certain state funds. - Amends TCA Title 9, Chapter 4.

**SENATE CONVENES AT 5:00 P.M., MONDAY, FEBRUARY 23, 2009**

# HOUSE

## BILLS / RESOLUTIONS

HB's 1500 – 1674 were introduced and passed of first consideration.

**HR 0020 by \*Roach**

Memorials, Sports - Springdale Elementary, Lady Owls basketball -

**\*HJR 0106 by \*Lynn**

General Assembly, Directed Studies - Directs the general assembly to review current occupational licensing laws and rules. -

**\*HJR 0107 by \*Lynn**

General Assembly, Studies - Creates a joint committee on economic freedom to study legal and regulatory barriers to private investment and entrepreneurship. -

**\*HJR 0108 by \*Lynn, Maggart, Hawk, Niceley, Swafford, Campfield, Haynes, Watson, Dunn, Eldridge, Coley, Bell, Floyd, Mumpower, Cobb J, Casada, Hill, Dennis, Evans**

Memorials, Congress - Urges Congress to recognize Tennessee's sovereignty under the tenth amendment to the Constitution. -

**\*HJR 0109 by \*Lynn**

General Assembly, Statement of Intent or Position - Expresses opposition to efforts to amend the National Labor Relations Act of 1935 to remove the private election phase of union recognition campaigns and force binding arbitration on employers during union negotiations. -

**HJR 0110 by \*Cobb J**

Memorials, Retirement - Ed Emens -

**HJR 0111 by \*McDonald**

Memorials, Recognition - First Baptist Church, 150th anniversary -

**HJR 0112 by \*Armstrong, Tindell, Brown, Favors**

Naming and Designating - "World Kidney Day," March 12, 2009 -

**\*HJR 0113 by \*Armstrong**

General Assembly, Directed Studies - Urges department of health to add caregiving and cognitive modules to the 2010 BRFS. -

**HJR 0114 by \*Bone**

Naming and Designating - National FFA Week, February 21-28, 2009 -

**\*HJR 0115 by \*Brooks H**

General Assembly, Directed Studies - Directs education oversight committee to study Tennessee's system of funding public education. -

**HJR 0116 by \*Brooks H**

Naming and Designating - "Fred B. Corum Regional Administration Building," TDOT Complex in Knoxville. -

**\*HB 1581 by \*Matheny**

Highway Signs - As introduced, "Bob Couch Highway," segment of U.S. Highway 41A in Coffee County.

**HB 1582 by \*Shaw (\*SB 1914 by \*Finney L )**

Taxes, Sales - As introduced, increases the amount to which the local option sales tax may be applied from \$1,600 to \$3,200 and establishes an annual adjustment based on the percentage increase of the consumer price index to be rounded up to the nearest multiple of \$100. - Amends TCA Section 67-6-702 and Section 67-6-202.

**HB 1583 by \*Fraley (\*SB 1307 by \*Tracy )**

Alcoholic Beverages - As introduced, clarifies that "sale" does not include transactions involving alcoholic beverages for which no payment is expected or received. - Amends TCA Title 57, Chapter 2 and Title 57, Chapter 3.

**HB 1584 by \*Curtiss (\*SB 0694 by \*Southerland )**

Insurance, Health, Accident - As introduced, enacts the "Rental Network Contract Arrangements Act." - Amends TCA Title 56.

(House Bills cont.)

**HB 1585 by \*Curtiss (\*SB 1755 by \*Marrero B )**

Hospitals and Health Care Facilities - As introduced, establishes certain debt collection standards for hospitals; requires certain disclosures of hospitals; establishes new unfair practices for hospitals under the Consumer Protection Act. - Amends TCA Title 47, Chapter 18 and Title 68.

**HB 1586 by \*Curtiss (\*SB 1661 by \*Burks )**

Women - As introduced, enacts "Tennessee Pregnant Women Support Act." - Amends TCA Title 49; Title 56; Title 63; Title 68 and Title 71.

**HB 1587 by \*Curtiss (\*SB 1655 by \*Burks )**

Local Government, General - As introduced, allows any city, town, or county to charge a records maintenance fee, not to exceed \$5.00, for each record the city, town, or county is required to maintain and to use the fees to offset the cost of maintaining such records. - Amends TCA Title 5; Title 6; Title 7; Title 10 and Title 68, Chapter 3.

**HB 1588 by \*Curtiss (\*SB 1659 by \*Burks )**

Veterans - As introduced, authorizes veterans to request removal of their social security numbers from war records. - Amends TCA Title 4; Title 10 and Title 58.

**HB 1589 by \*Curtiss (\*SB 1627 by \*Beavers )**

Insurance Companies, Agents, Brokers, Policies - As introduced, clarifies that any insurer must honor any assignment of benefits made by the insured to any health care provider covered under title 63. - Amends TCA Title 56, Chapter 7, Part 1.

**HB 1590 by \*Curtiss (\*SB 1381 by \*Johnson )**

TennCare - As introduced, removes authorization to provide medical services in lesser amounts, duration, and scope to "medically needy" persons than to other medicaid recipients. - Amends TCA Title 56 and Title 71.

**HB 1591 by \*Curtiss (\*SB 1657 by \*Burks )**

Cooperatives - As introduced, places certain requirements on rural electric and community services cooperatives concerning acquisition of real property for new or expanded electric power distribution facilities; subjects such cooperatives to the open records and open meetings acts. - Amends TCA Section 8-44-102; Section 10-7-503 and Title 65, Chapter 25, Part 2.

**\*HB 1592 by \*Bone**

Courts, Appeal - As introduced, exempts Wilson County from the requirement that appeals from the Probate Court (i.e., General Sessions Court acting as the Probate Court) must be heard anew in Chancery Court de novo. - Amends TCA Section 30-2-609.

**HB 1593 by \*Lynn (\*SB 1496 by \*Watson )**

Criminal Procedure - As introduced, increases the number of members of the print, radio, and television news media who are entitled to be present at the carrying out of an execution of a sentence of death from seven to eight. - Amends TCA Title 40, Chapter 23, Part 1.

**HB 1594 by \*Lynn (\*SB 1384 by \*Johnson )**

Professions and Occupations - As introduced, removes the net worth requirement from an employee leasing application for license. - Amends TCA Title 62, Chapter 43.

**HB 1595 by \*Lynn (\*SB 1385 by \*Johnson )**

Employees, Employers - As introduced, provides that the general assembly supports the premise that employees have the right to privately decide whether or not to elect union representation. - Amends TCA Title 50.

**HB 1596 by \*Lynn (\*SB 1146 by \*Gresham )**

Hospitals and Health Care Facilities - As introduced, removes the requirement that a home medical equipment provider be accredited by the joint commission on accreditation of health care organizations. - Amends TCA Section 68-11-226.

**HB 1597 by \*Lynn (\*SB 1148 by \*Gresham )**

Water Authorities - As introduced, imposes certain bidding requirements upon water and wastewater authorities. - Amends TCA Title 68, Chapter 221.

**HB 1598 by \*Lynn (\*SB 1283 by \*Bunch )**

Religion and Religious Organizations - As introduced, prohibits a government entity from substantially burdening a person's free exercise of religion unless it demonstrates the application of the burden is essential to further a compelling government interest and is the least restrictive means of furthering that interest. -

(House Bills cont.)

**HB 1599 by \*Swafford (\*SB 1279 by \*Bunch )**

Motor Vehicles, Titling and Registration - As introduced, increases fee, from \$5.00 to \$5.50, due to the department of revenue for noting or transferring certain new liens or encumbrances on certificates of title. - Amends TCA Title 55, Chapter 6.

**HB 1600 by \*Swafford (\*SB 1654 by \*Burks )**

Hazardous Materials - As introduced, prohibits the disposal of hazardous waste in certain landfills. - Amends TCA Title 68.

**HB 1601 by \*Swafford (\*SB 1277 by \*Bunch )**

Taxes, Real Property - As introduced, removes requirement that the trustee must report and make a settlement for all taxes with the commissioner of revenue; removes requirement that the trustee submit a financial report to certain state and local government officers for purposes of making a final settlement of taxes. - Amends TCA Title 67.

**HB 1602 by \*Brooks H (\*SB 0604 by \*Burchett, Woodson )**

Municipal Government - As introduced, authorizes municipalities having a population of at least 100,000 to establish an ordinance and permitting process that would enable restaurants to allow admittance of patron companion dogs into designated outdoor dining areas. - Amends TCA Title 4, Chapter 3, Part 18 and Title 6, Chapter 54.

**HB 1603 by \*Brooks H (\*SB 0605 by \*Burchett, Woodson )**

Municipal Government - As introduced, authorizes municipalities having a population of at least 100,000 to establish an ordinance and permitting process that would enable restaurants to allow admittance of patron companion dogs into designated outdoor dining areas. - Amends TCA Title 4, Chapter 3, Part 18 and Title 6, Chapter 54.

**HB 1604 by \*Brooks H (\*SB 1524 by \*Burchett )**

Workers Compensation - As introduced, changes standard for denying workers' compensation benefits in cases involving alcohol and drug use from such use being a proximate cause of the injury or death to such use being a contributing cause of such injury or death. - Amends TCA Section 50-6-110.

**HB 1605 by \*Brooks H (\*SB 1515 by \*Burchett )**

Traffic Safety - As introduced, requires every person riding bicycle on highway to equip such bicycle with a clear front reflector, clear or amber pedal reflectors, and a red rear-facing reflector approved by the department of safety as conforming to federal reflector standards. - Amends TCA Title 55, Chapter 8.

**HB 1606 by \*Maggart (\*SB 0446 by \*Overbey )**

Medical Occupations - As introduced, requires the board of physical therapy to meet not less than quarterly. - Amends TCA Title 63, Chapter 13.

**HB 1607 by \*Maggart (\*SB 0009 by \*Black )**

Nurses, Nursing - As introduced, certifies medication technicians who can administer certain medications in nursing homes under the supervision of licensed nurses. - Amends TCA Title 63, Chapter 7, Part 1.

**HB 1608 by \*Litz (\*SB 1510 by \*Burchett )**

Wine, Wineries - As introduced, deletes certain provisions of the Grape and Wine Law; permits the transport of wine purchased from a winery licensed by the state of Tennessee; authorizes Alcohol Beverage Commission to assess inspection fees against licensees and permittees. - Amends TCA Section 57-3-401.

**HB 1609 by \*Litz (\*SB 1513 by \*Burchett )**

Wine, Wineries - As introduced, deletes certain provisions of the Grape and Wine Law; permits the transport of wine purchased from a winery licensed by the state of Tennessee. - Amends TCA Section 57-3-401 and Section 57-3-207.

**HB 1610 by \*Turner M (\*SB 0500 by \*Burchett )**

Railroads - As introduced, establishes standards for stationary assembly points and mobile labor camps provided by a railroad company for maintenance of way employees; requires the department of health to adopt rules pertaining to mobile camps. - Amends TCA Title 65 and Title 68.

**HB 1611 by \*Turner M (\*SB 1455 by \*Haynes )**

Hospitals and Health Care Facilities - As introduced, changes the required base years for the nursing home occupancy rate for a relocating nursing home from the previous two years of the joint annual report to the calendar years 2006 and 2007 in such report. - Amends TCA Section 68-11-1628.

(House Bills cont.)

**HB 1612 by \*Turner M (\*SB 1119 by \*Berke )**

Consumer Protection - As introduced, requires gift certificates with a monetary value of less than \$10.00 to be redeemable in cash for cash value. - Amends TCA Title 47, Chapter 18.

**HB 1613 by \*Lundberg, McCord (\*SB 0450 by \*Overbey )**

Highways, Roads and Bridges - As introduced, establishes presumptions of proximate cause of death, injury, or damage for certain motor vehicle accidents occurring within a construction zone; establishes immunity from claims for personal injury, property damage, or death arising from certain department of transportation projects. - Amends TCA Title 8, Chapter 42; Title 12, Chapter 4; Title 29 and Title 54.

**HB 1614 by \*McDonald (\*SB 1892 by \*Black )**

Sexual Offenders - As introduced, removes certain exemptions that allow sexual offenders to be on school grounds. - Amends TCA Title 40, Chapter 39, Part 2.

**HB 1615 by \*McCord (\*SB 0632 by \*Southerland )**

Water Pollution - As introduced, revises requirements concerning jurisdiction of waters of the state and hydrologic determinations. - Amends TCA Title 69, Chapter 3, Part 1.

**HB 1616 by \*McCord (\*SB 0631 by \*Southerland )**

Water - As introduced, revises certain determinations concerning water quality standards in certain circumstances. - Amends TCA Title 69, Chapter 3, Part 1.

**HB 1617 by \*McCord (\*SB 0633 by \*Southerland )**

Water - As introduced, adds a new classification of limited resource waters to the Water Quality Control Act of 1977. - Amends TCA Title 69, Chapter 3.

**HB 1618 by \*McCord (\*SB 1330 by \*Yager )**

Environment and Conservation, Department of - As introduced, requires the department to provide a municipality with electronic notification of any proposed rule that has the potential to affect that municipality. - Amends TCA Title 4, Chapter 5, Part 2.

**HB 1619 by \*McCord (\*SB 1312 by \*Tracy )**

Water Pollution - As introduced, clarifies the meaning of a CAFO as it is defined under federal law; provides that the operation of a CAFO is prohibited without a proper permit. - Amends TCA Title 69, Chapter 3, Part 1.

**HB 1620 by \*McCord (\*SB 1110 by \*Overbey )**

Aircraft and Airports - As introduced, modifies and restates certain policies and procedures pertaining to airports and airport authorities and their methods of funding. - Amends TCA Title 42, Chapter 3; Title 42, Chapter 4; Title 42, Chapter 5; Title 42, Chapter 6 and Title 67, Chapter 4.

**HB 1621 by \*McCord (\*SB 1520 by \*Burchett )**

Public Employees - As introduced, requires each county by July 1, 2012, to set a minimum entry level compensation for deputy sheriffs at 30 percent of the compensation to be received by the various county general officers. - Amends TCA Title 5; Title 6; Title 7 and Title 8.

**HB 1622 by \*McCord (\*SB 1112 by \*Overbey )**

Air Pollution - As introduced, requires state rules, regulations, and standards relative to air quality, water quality, air emissions, and water discharges to be consistent with and not exceed the requirements of federal statutes, regulations, standards, criteria, and guidance on the same subject. - Amends TCA Title 68 and Title 69.

**HB 1623 by \*McCord (\*SB 0436 by \*Overbey )**

Evidence - As introduced, specifies that in any criminal proceeding involving certain sex offenses committed against a victim less than 13 years of age the testimony of a forensic interviewer is admissible. - Amends TCA Title 9, Chapter 4, Part 2; Title 24, Chapter 7, Part 1; Title 37, Chapter 1 and Title 40, Chapter 17.

**HB 1624 by \*McCord (\*SB 1713 by \*Overbey )**

Nuisances - As introduced, exempts from the definition of heliport in a tourist resort county, land on private property used for landing a privately owned and operated helicopter for private purposes on a limited basis which is never used by or for commercial helicopter touring. - Amends TCA Title 42, Chapter 1, Part 3 and Title 42, Chapter 8, Part 1.

**HB 1625 by \*McCord (\*SB 1399 by \*Jackson )**

Firearms and Ammunition - As introduced, excludes felons who have had rights restored and who were not convicted of a violent or drug-related felony from Class E felony of possession or carrying of a handgun. - Amends TCA Title 39, Chapter 17, Part 13.

(House Bills cont.)

**HB 1626 by \*McCord (\*SB 1901 by \*Jackson )**

Game and Fish Laws - As introduced, reduces the distance by which landowners must post signage to effectively restrict persons from hunting game inside the perimeter of the lands being posted from 100-yard to 50-yard intervals. - Amends TCA Title 70, Chapter 4.

**HB 1627 by \*McCord (\*SB 0491 by \*Burchett )**

Safety - As introduced, requires minimum statewide building construction safety standards promulgated by the state fire marshal to also apply to one and two family dwellings. - Amends TCA Title 68, Chapter 120, Part 1.

**HB 1628 by \*McCord (\*SB 1559 by \*Burchett )**

Solid Waste Disposal - As introduced, requires the Solid Waste Disposal Control Board to promulgate revised rules relating to the disposal and recycling of coal ash. - Amends TCA Title 68, Chapter 211.

**HB 1629 by \*McCord (\*SB 1702 by \*Overbey )**

Adoption - As introduced, requires the department of children's services to provide certain post-adoption services. - Amends TCA Title 36, Chapter 1, Part 1.

**HB 1630 by \*McCord (\*SB 0876 by \*Ketron )**

Environmental Preservation - As introduced, enacts the "Tennessee Environmental Protection and Recycling Act." - Amends TCA Title 4; Title 49; Title 55; Title 67; Title 68 and Title 70.

**HB 1631 by \*Richardson, Jones U (\*SB 1339 by \*Tate )**

Motor Vehicles - As introduced, increases from five to 10 years the minimum age of an abandoned vehicle that can be destroyed without title and notification of last owner of record and lienholders. - Amends TCA Title 55.

**HB 1632 by \*Richardson, Jones U (\*SB 1340 by \*Tate )**

Motor Vehicles - As introduced, specifies that owner of private property cannot designate garage keeper or towing firm, or employee of either, as owner's agent to approve towing vehicle from the property. - Amends TCA Title 55.

**HB 1633 by \*Jones U (\*SB 1443 by \*Haynes, Ketron )**

Alcoholic Beverages - As introduced, exempts from licensing requirements transactions between collectors involving sale, purchase, or exchange of commemorative bottles containing an alcoholic beverage. - Amends TCA Title 57, Chapter 3; Title 57, Chapter 5 and Title 57, Chapter 9.

**HB 1634 by \*Jones U (\*SB 1881 by \*Kyle )**

TennCare - As introduced, requires the bureau of TennCare to reimburse crossover claims for full benefit dual eligibles at 100 percent of the Medicare allowable charge. - Amends TCA Title 71, Chapter 5.

**HB 1635 by \*Jones U (\*SB 1328 by \*Kyle )**

Election Laws - As introduced, deletes limitation that once an absentee ballot is issued the person may only vote by absentee ballot; instead permits a person to whom an absentee ballot has been issued to vote a provisional ballot if the voter is in the state on election day except the provisional ballot will only be counted if the absentee ballot was not received by the election commission. - Amends TCA Section 2-6-301.

**HB 1636 by \*Jones U (\*SB 1841 by \*Kyle )**

Election Laws - As introduced, exempts a person enrolled as a full-time student in an accredited college or university outside the county of residence from appearing in person at the first election following the person's registration by mail. - Amends TCA Section 2-2-115.

**HB 1637 by \*Jones U (\*SB 1903 by \*Marrero B )**

Real Property - As introduced, revises the law concerning qualifications for and practices of notary publics in certain circumstances; creates protections for true owners of residential real property where deeds have been signed by persons involved in fraudulent and criminal activities concerning such property. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 39.

**HB 1638 by \*Jones U (\*SB 1843 by \*Kyle )**

Special License Plates - As introduced, authorizes issuance of license plates for firefighters and paramedics. - Amends TCA Title 55, Chapter 4.

**HB 1639 by \*Jones U (\*SB 1844 by \*Kyle )**

Sentencing - As introduced, establishes the specific portion of the sentencing range that must be applied on and after the second, third, and fourth felony convictions. - Amends TCA Title 40.

(House Bills cont.)

**HB 1640 by \*Jones U (\*SB 1842 by \*Kyle )**

Election Laws - As introduced, in counties using computerized duplicate registration records, permits a person to whom an absentee ballot has been issued to vote a provisional ballot if the voter is in the state on election day except the provisional ballot will only be counted if the absentee ballot was not received by the election commission. - Amends TCA Section 2-6-301.

**HB 1641 by \*Jones U (\*SB 1886 by \*Kyle )**

Election Laws - As introduced, places certain restrictions on members of the state election commission and their immediate family including prohibition on lobbying, holding elective office, and participating in election campaigns. - Amends TCA Title 2, Chapter 11, Part 1.

**HB 1642 by \*Jones U (\*SB 0720 by \*Tate )**

Lottery, Scholarships and Programs - As introduced, requires the state treasurer to publish annually the amount of funds available in the after school programs special account. - Amends TCA Title 4, Chapter 51.

**HB 1643 by \*Jones U (\*SB 0718 by \*Tate )**

Teachers, Principals and School Personnel - As introduced, permits tenured teachers of Memphis City Schools to request a hearing within 30 days of receiving notice of certain dismissal charges. - Amends TCA Title 49, Chapter 5.

**HB 1644 by \*Jones U (\*SB 0722 by \*Tate )**

Lottery, Scholarships and Programs - As introduced, increases from \$25,000,000 to \$50,000,000 the maximum amount of funds that may be appropriated from excess net lottery proceeds for Pre-K programs. - Amends TCA Title 49, Chapter 6.

**HB 1645 by \*Jones U (\*SB 0723 by \*Tate )**

Police - As introduced, permits the Memphis City School System to establish and operate a police force for the school system. - Amends TCA Chapter 12 of the Acts of 1903, and all other acts amendatory thereto.

**HB 1646 by \*Jones U (\*SB 0721 by \*Tate )**

Day Care - As introduced, establishes the Tennessee Board of Credentialing for Child Care Professionals; authorizes the Board to develop training and performance standards and to award all certification and credentials requirements. - Amends TCA Title 71, Chapter 3.

**HB 1647 by \*Jones U (\*SB 0719 by \*Tate )**

Education - As introduced, establishes a pilot program of mandatory attendance in an alternative school within the Memphis City Schools. - Amends TCA Title 49, Chapter 6.

**HB 1648 by \*Jones U (\*SB 1745 by \*Ketron )**

Labor and Workforce Development, Dept. of - As introduced, directs the department to establish the "We Want To Learn English Initiative." - Amends TCA Title 4, Chapter 3, Part 14 and Title 49.

**HB 1649 by \*Jones U (\*SB 1083 by \*Harper, Crowe, Ketron )**

Appropriations - As introduced, appropriates \$4 million to the Bureau of TennCare for the sole purpose of funding copay reimbursements for Medicare/Medicaid dual eligible enrollees who utilize emergency medical services. -

**HB 1650 by \*Armstrong, Shaw, Miller L (\*SB 1522 by \*Burchett )**

Public Health - As introduced, adds providing advice to the commissioner of finance and administration concerning the state health plan to the duties of the health equity commission. - Amends TCA Title 3, Chapter 15, Part 4.

**HB 1651 by \*Armstrong, Jones S (\*SB 1786 by \*Herron )**

Podiatrists - As introduced, increases per diem for serving on board of podiatric medical examiners from \$50.00 to \$100; revises certain podiatric licensure requirements. - Amends TCA Title 63, Chapter 3.

**HB 1652 by \*Armstrong, Jones S, Pruitt (\*SB 0617 by \*Southerland )**

Health Care - As introduced, expands the types of clinics at which volunteer health care licensees may render service. - Amends TCA Title 63, Chapter 6, Part 7.

**HB 1653 by \*Armstrong (\*SB 0494 by \*Burchett )**

General Assembly - As introduced, authorizes former members of the general assembly to retain their legislative electronic mail accounts for up to one year from last official day of service. - Amends TCA Title 3, Chapter 1, Part 1.

(House Bills cont.)

**HB 1654 by \*Armstrong (\*SB 1547 by \*Burchett )**

Psychologists - As introduced, makes doctoral clinical psychology students in university-operated clinics eligible for third-party reimbursement. - Amends TCA Section 63-11-224.

**HB 1655 by \*Armstrong (\*SB 0451 by \*Overbey )**

Drug and Alcohol Rehabilitation - As introduced, adds assisting clients with applying for state and federal benefits to the statutory functions of licensed alcohol and drug abuse counselors. - Amends TCA Title 33; Title 68, Chapter 11 and Title 68, Chapter 24.

**HB 1656 by \*Armstrong (\*SB 1553 by \*Burchett )**

Physicians and Surgeons - As introduced, removes prohibition on corporations employing certain licensed physicians. - Amends TCA Title 63 and Title 68.

**HB 1657 by \*Armstrong, Tindell, Favors (\*SB 0447 by \*Overbey )**

Special License Plates - As introduced, authorizes new specialty earmarked license plate to honor contributions of nurses in Tennessee; directs portion of proceeds to Tennessee Nurses Foundation. - Amends TCA Title 55, Chapter 4.

**HB 1658 by \*Armstrong (\*SB 0833 by \*McNally )**

Hospitals and Health Care Facilities - As introduced, requires hospitals filing a joint annual report of the statistical particulars relative to their patients to include a report of community benefits provided by the hospitals. - Amends TCA Section 68-11-310.

**HB 1659 by \*Armstrong, Tindell (\*SB 0600 by \*Burchett, Woodson )**

Alcoholic Beverages - As introduced, allows alcoholic beverages to be sold for on premises consumption in unincorporated areas of a county with a charter form of government that has held a countywide local option election approving liquor-by-the-drink. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

**HB 1660 by \*Armstrong, Tindell (\*SB 1556 by \*Burchett )**

Special License Plates - As introduced, authorizes issuance of I RECYCLE new specialty earmarked license plates; earmarks proceeds from such plates for certain recycling efforts. - Amends TCA Title 55, Chapter 4.

**HB 1661 by \*Armstrong (\*SB 1717 by \*Overbey )**

Insurance, Health, Accident - As introduced, requires health insurance entities to use a uniform health care provider credentialing application based on the application established by the Council on Affordable Quality Healthcare. - Amends TCA Title 56.

**HB 1662 by \*Armstrong, Tindell, Niceley, Dunn, Brooks H, Haynes (\*SB 0498 by \*Burchett )**

Housing - As introduced, modifies description and requirements of eligible properties for certain redevelopment or urban renewal plans containing tax increment financing. - Amends TCA Section 13-20-202 and Section 13-20-205.

**HB 1663 by \*Todd (\*SB 1682 by \*Ketron )**

Methamphetamine - As introduced, requires the Tennessee bureau of investigation to maintain an electronic purchase log of methamphetamine precursor sales throughout the state and requires that all reporting of such sales by the pharmacist be electronic and in real-time. - Amends TCA Title 39, Chapter 17, Part 4.

**HB 1664 by \*Todd (\*SB 1578 by \*Ketron )**

Financial Responsibility Law - As introduced, enacts the "Uninsured Motorist Stipulation of Benefits Act." - Amends TCA Title 55, Chapter 12, Part 1.

**HB 1665 by \*Todd (\*SB 1912 by \*Norris )**

Firearms and Ammunition - As introduced, allows a commissioned reserve deputy sheriff as authorized in writing by the sheriff to carry firearms as a law enforcement officer. - Amends TCA Section 39-17-1350.

**HB 1666 by \*Coley (\*SB 0402 by \*Burchett )**

Charitable Solicitations - As introduced, exempts from certain charitable solicitation regulatory requirements certain service providers, licensed by the department of mental health and mental retardation, who contract with the department of finance and administration to provide certain services for persons with mental retardation. - Amends TCA Title 48, Chapter 101, Part 5.

**HB 1667 by \*Winningham (\*SB 1086 by \*McNally )**

Taxes, Severance - As introduced, increases the tax on coal products severed from the ground in this state and increases the amount of tax revenue collected that is allocated to the county from which the coal products were severed. - Amends TCA Section 67-7-104 and Section 67-7-110.

(House Bills cont.)

**HB 1668 by \*Winningham (\*SB 1137 by \*Burks )**

Lottery, Scholarships and Programs - As introduced, requires students to make a cumulative grade point average of at least 2.75 at any time continuing eligibility for a Tennessee HOPE scholarship is reviewed to continue to receive the scholarship. - Amends TCA Title 49, Chapter 4, Part 9.

**HB 1669 by \*Tindell (\*SB 0441 by \*Overbey )**

Mental Health and Developmental Disabilities, Dept. of - As introduced, requires department of mental health and developmental disabilities to take certain action to ensure that crisis care services are available to all citizens. - Amends TCA Title 33, Chapter 6.

**HB 1670 by \*Lynn, Maggart, Shepard, Montgomery, McDaniel, Casada, Lundberg, Eldridge, Hawk, McCormick (\*SB 0154 by \*Ketron )**

Business and Commerce - As introduced, enacts "Tennessee Economic Civil Rights Act." -

**HB 1671 by \*Lynn, Maggart, Shepard, McDaniel, Casada, Eldridge, Hawk, Hensley, McManus (\*SB 0155 by \*Ketron )**

Business and Commerce - As introduced, enacts the "Tennessee Business Ombudsman Act." -

**HB 1672 by \*Lynn, Shepard, McDaniel, Casada, Litz, Eldridge, Hawk, McCormick, Hensley, McManus (\*SB 0157 by \*Ketron )**

Professions and Occupations - As introduced, enacts the "Tennessee Professional Licensure and Certification Reform Act." -

**HB 1673 by \*Matlock, Maddox, Litz, Haynes, Ramsey (\*SB 0973 by \*Tracy )**

Utilities, Utility Districts - As introduced, authorizes utility districts to operate natural gas vehicle fueling stations. - Amends TCA Title 7, Chapter 82, Part 3.

**HB 1674 by \*Ferguson (\*SB 0416 by \*Watson )**

Mental Retardation - As introduced, specifies that new ICF/MR beds must be filled by persons from the developmental centers or from the wait list; requires that the division of mental retardation services approve the persons to fill the new beds. - Amends TCA Title 33; Title 68, Chapter 11 and Section 71-5-105.

**\*HB 1675 by \*Windle (SB 1962 by \*Yager )**

State Employees - As introduced, permits the commissioner of correction to specifically deny in writing an employee's request to examine investigative records and reports of the internal affairs division of the department of ongoing investigations prior to a due process hearing at which disciplinary action is considered or issued. - Amends TCA Section 10-7-504.

**HB 1676 by \*Tindell (\*SB 1504 by \*Burchett )**

Tobacco Master Settlement Agreement - As introduced, imposes penalty for failure of a tobacco distributor or manufacturer to provide certain information to commissioner of revenue. - Amends TCA Section 67-4-2604.

**HB 1677 by \*Tindell (\*SB 1516 by \*Burchett )**

Real Property - As introduced, requires developments to allow an owner to display political signs on the owner's property or exclusive common area. - Amends TCA Title 13 and Title 66.

**HB 1678 by \*Harwell (\*SB 1430 by \*Stanley )**

Tort Liability and Reform - As introduced, provides immunity from liability for nongovernmental independent contractors or other persons contracting to perform function of public transportation authority. - Amends TCA Title 7, Chapter 56, Part 1 and Title 29, Chapter 20, Part 1.

**HB 1679 by \*Maddox (\*SB 1714 by \*Overbey )**

Children - As introduced, expands the facilities where infants can be voluntarily delivered to include law enforcement, fire, and emergency medical services facilities. - Amends TCA Section 68-11-255.

**HB 1680 by \*Maddox (\*SB 0752 by \*Johnson )**

Health Care - As introduced, clarifies that certain private act metropolitan hospital authority is not exempted in the conduct of its powers from antitrust law, federal or state, otherwise applicable to private hospitals. - Amends TCA Section 7-57-501 and Section 7-57-502.

**HB 1681 by \*Maddox (\*SB 0753 by \*Johnson )**

Salaries and Benefits - As introduced, prohibits exclusive provider agreements with hospitals for providing services to state employees covered by the state employees health insurance. - Amends TCA Title 8, Chapter 27, Part 2.

(House Bills cont.)

**HB 1682 by \*Brooks H (\*SB 1957 by \*Burchett )**

School Transportation - As introduced, changes limitation on maximum time in transit to or from school from one and one-half hours each way to one hour each way. - Amends TCA Section 49-6-2105.

**HB 1683 by \*Brooks H (\*SB 1514 by \*Burchett )**

Pensions and Retirement Benefits - As introduced, extends provisions on reemployment of teachers after retirement from June 30, 2010, to June 30, 2011. - Amends TCA Section 8-36-821.

**\*HB 1684 by \*Brooks H (SB 1963 by \*Ketron )**

Schools, Charter - As introduced, requires applications for establishment of charter schools to provide, in addition to the names and addresses of the members of the governing body, a telephone number or email address for each member. - Amends TCA Title 49, Chapter 1.49, Part 2; Title 49, Chapter 13 and Title 49, Chapter 3.

**\*HB 1685 by \*Brooks H**

Education - As introduced, requires the office of education to report periodically to the state board of education and the commissioner of education, in addition to the general assembly, concerning the overall school accountability system. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 13; Title 49, Chapter 2 and Title 49, Chapter 3.

**HB 1686 by \*Winningham (\*SB 0513 by \*McNally, Woodson )**

Lottery, Scholarships and Programs - As introduced, requires certain prospective recipients of the Tennessee HOPE access grant to enroll in an eligible postsecondary institution no later than 28 months following graduation from high school. - Amends TCA Title 4, Chapter 31; Title 4, Chapter 51; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49.

**\*HB 1687 by \*Moore**

Unemployment Compensation - As introduced, adopts an alternative base period, part-time worker eligibility, and extended benefits while in training into unemployment law. - Amends TCA Title 50, Chapter 7.

**HB 1688 by \*Moore (\*SB 1456 by \*Haynes )**

Insurance Companies, Agents, Brokers, Policies - As introduced, provides that any insurance company formed as a successor in interest shall not receive a reduction in its apportionment ratio for property tax purposes if the previous company already received such reduction. - Amends TCA Title 67, Chapter 5, Part 12.

**HB 1689 by \*Johnson P, Harwell, Montgomery (\*SB 1572 by \*Norris )**

Usury - As introduced, limits a defense of usury in certain circumstances. - Amends TCA Title 47, Chapter 14, Part 1.

**HB 1690 by \*Yokley (\*SB 1118 by \*Berke )**

Taxes, Sales - As introduced, reduces the sales tax on Energy Star qualified products to 3.5 percent and defines Energy Star qualified product. - Amends TCA Title 67, Chapter 6, Part 2.

**HB 1691 by \*Yokley (\*SB 1921 by \*Berke )**

Purchasing - As introduced, requires the state to purchase certain Energy Star qualified products. - Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4.

**\*HB 1692 by \*Mumpower**

Minority Affairs - As introduced, grants state recognition to certain Indian tribes, bands, and groups; provides means for other Indian tribes, bands, and groups to receive state recognition. - Amends TCA Title 4.

**HB 1693 by \*Watson (\*SB 0420 by \*Bunch )**

Tort Liability and Reform - As introduced, limits the liability of certain facilities contracting with the department of mental health and developmental disabilities to provide residential services for individuals with developmental disabilities or mental retardation. - Amends TCA Title 9, Chapter 8, Part 3 and Title 33.

**\*HB 1694 by \*Watson**

Law Enforcement - As introduced, permits director of judicial district drug task force to petition court for destruction, sale, or law enforcement use of confiscated weapons. - Amends TCA Title 39, Chapter 17, Part 13.

**HB 1695 by \*McDaniel (\*SB 1915 by \*Finney L )**

Taxes, Privilege - As introduced, limits application of the preemption provision in the "County Powers Relief Act" to counties and metropolitan governments. - Amends TCA Section 67-4-2913.

(House Bills cont.)

**HB 1696 by \*McDaniel (\*SB 1938 by \*Johnson )**

Driver Licenses - As introduced, directs the department of safety not to implement the REAL ID Act of 2005 as enacted by the United States Congress. - Amends TCA Title 55.

**HB 1697 by \*Odom (\*SB 1935 by \*Haynes )**

Public Utilities - As introduced, allows local government to require reasonable compensation for use of public rights-of-way for construction of telephone or telegraph lines; provides that fee of 5 percent of provider's gross revenues from operation of such line is presumed reasonable. - Amends TCA Section 65-21-103.

**HB 1698 by \*McCormick, Turner M, Jones U, McDaniel, Fitzhugh, Harwell, Casada, Harmon, Sargent, Roach, Lynn, Johnson P, Lundberg, Jones S, Shepard, Cobb T, McCord, Pitts, Rich, Johnson C (\*SB 1954 by \*Stanley, Stewart, Beavers, Burchett, Jackson, Ketron, Harper, Johnson, Tracy, Norris, Tate )**  
Telecommunications - As introduced, enacts the "Market Regulation Act of 2009." - Amends TCA Section 65-5-109.

**HB 1699 by \*McCormick (\*SB 1558 by \*Burchett )**

DUI/DWI Offenses - As introduced, requires judge to order that motor vehicle owned or driven by person convicted of DUI to be equipped with functioning ignition interlock device after period of license suspension. - Amends TCA Title 40, Chapter 33 and Title 55, Chapter 10, Part 4.

**HB 1700 by \*Watson (\*SB 0518 by \*McNally )**

Criminal Procedure - As introduced, enacts the "Exclusionary Rule Reform Act." - Amends TCA Title 24, Chapter 7 and Title 40, Chapter 17.

**HB 1701 by \*Watson (\*SB 0520 by \*McNally )**

Criminal Offenses - As introduced, creates Class A and Class B misdemeanor offenses of failing to notify law enforcement upon observing commission of a criminal offense resulting in the death or serious bodily injury of another. - Amends TCA Title 38, Chapter 1.

**HB 1702 by \*McCord (\*SB 0788 by \*Overbey )**

Alcoholic Beverages - As introduced, redefines "hotel" to clarify that the property of Blackberry Farm may not be contiguous and may be divided by a public or private road. - Amends TCA Title 57.

**HB 1703 by \*McCord (\*SB 1367 by \*Johnson )**

Real Estate Agents and Brokers - As introduced, clarifies that members of the real estate commission shall not be subject to license forfeiture upon the finding of set fees or commissions on real estate transactions. - Amends TCA Title 62, Chapter 13.

**HB 1704 by \*Hensley (\*SB 1431 by \*Stanley )**

Contractors - As introduced, increases the amount from \$1.5 million to \$2 million above which a general contractor's financial statement has to be audited. - Amends TCA Title 62, Chapter 6.

**HB 1705 by \*Hensley (\*SB 1577 by \*Stanley )**

Public Contracts - As introduced, exempts contracts for construction management agent or advisor services from competitive bidding process for local governments. - Amends TCA Title 12, Chapter 4, Part 1.

**HB 1706 by \*Hensley (\*SB 1426 by \*Stanley )**

Health Care - As introduced, enacts the "Healthcare Freedom of Conscience Act." - Amends TCA Title 68.

**HB 1707 by \*Curtiss (\*SB 0836 by \*McNally )**

Privacy, Confidentiality - As introduced, broadens the scope of the "Personal Rights Protection Act of 1984." - Amends TCA Title 47, Chapter 25, Part 11.

**HB 1708 by \*Sontany (\*SB 1474 by \*Henry )**

Public Records - As introduced, requires the advisory committee on open government in consultation with the office of open records counsel to study the use of social security numbers by local governments and to report to the general assembly by February 1, 2010. - Amends TCA Title 4; Title 8 and Title 10.

**HB 1709 by \*Stewart (\*SB 0486 by \*Marrero B )**

Energy - As introduced, establishes efficiency standards for certain products and requires commissioner of commerce and insurance to administer and enforce such standards. - Amends TCA Title 47, Chapter 25.

(House Bills cont.)

**HB 1710 by \*Kernell (\*SB 0747 by \*Jackson )**

Air Pollution - As introduced, directs the air pollution control board to promulgate rules to allow the sale of motor vehicles that meet California's emissions standards, requires the board to monitor California's standards, and when those standards have been adopted in states representing 50 percent of the United States population, promulgate rules to adopt emissions standards based on the California standard. - Amends TCA Title 4; Title 55 and Title 68.

**HB 1711 by \*Sargent (\*SB 1555 by \*Burchett )**

Employees, Public - As introduced, grants pay raises to administrative employees who pass the Certified Administrative Professional Examination; provided, that funds are specifically appropriated for such purpose in the general appropriations act. - Amends TCA Title 8 and Title 49.

**HB 1712 by \*Sargent (\*SB 1425 by \*Stanley )**

Short Term Loans and Lenders - As introduced, requires the commissioner of financial institutions to report annually instead of biennially. - Amends TCA Title 45, Chapter 15.

**HB 1713 by \*Sargent (\*SB 1427 by \*Stanley )**

Short Term Loans and Lenders - As introduced, decreases ownership required to be determined in control of a corporation and increases the length of time that a licensee must notify the department of financial institutions of a change in location or name before such change. - Amends TCA Title 45, Chapter 17.

**\*HB 1714 by \*Kelsey (SB 1966 by \*Bunch )**

General Assembly - As introduced, eliminates reimbursement for airline travel by members of the general assembly living 100 miles or more from Nashville to Nashville during legislative sessions; prohibits reimbursement for airline travel to instate committee meetings; limits reimbursement for airline travel to out-of-state committee meetings to one ticket per year. - Amends TCA Section 3-1-106.

**HB 1715 by \*Turner M (\*SB 0644 by \*Marrero B )**

TennCare - As introduced, prohibits the bureau of TennCare or its pharmacy vendor from restricting single source or brand name multi-source drugs prescribed to treat cancer or HIV/AIDS. - Amends TCA Title 71.

**HB 1716 by \*Niceley (\*SB 1586 by \*Burchett )**

Agriculture - As introduced, exempts any farmer who does not receive farm subsidies and does not participate in state or federal agriculture programs for the receipt of funds or subsidies from any rules or regulations promulgated by the state or the federal government. - Amends TCA Title 43 and Title 44.

**HB 1717 by \*McCormick (\*SB 1583 by \*Burchett )**

Physicians and Surgeons - As introduced, revises restrictions on the ability of hospitals to employ physicians and establishes non-liability of hospital for non-employee physicians. - Amends TCA Title 29; Title 63 and Title 68.

**\*HB 1718 by \*McCormick**

Mental Illness - As introduced, relieves the sheriff or transportation agent in Hamilton County from further transportation duties after the person being transported to the hospital or treatment resource has been delivered to such facility; places further transportation duties on such facilities. - Amends TCA Title 33, Chapter 6, Part 4.

**HB 1719 by \*McCormick (\*SB 1423 by \*Stanley )**

Campaigns and Campaign Finance - As introduced, allows trade and professional associations to fund PACs. - Amends TCA Title 2, Chapter 19, Part 1.

**HB 1720 by \*Carr (\*SB 1955 by \*Ketron )**

Alcoholic Beverages - As introduced, provides that manufacturing of intoxicating liquors is allowed in counties that have approved retail package sales and liquor-by-the-drink sales through voter referendum; requires manufacturer to obtain appropriate licenses. - Amends TCA Section 57-2-103.

**HB 1721 by \*Lundberg, Matheny, Shepard, Casada, Favors, Cobb C (\*SB 1397 by \*Johnson )**

Insurance Companies, Agents, Brokers, Policies - As introduced, establishes procedures for internal reconsideration and independent review of disputed claims for payment by health insurance entities in the delivery of health care services by health care providers. - Amends TCA Title 56, Chapter 7.

**HB 1722 by \*Lundberg (\*SB 1365 by \*Johnson )**

Insurance Companies, Agents, Brokers, Policies - As introduced, expands definition of the securities valuation office of the National Association of Insurance Commissioners to include any successor organization. - Amends TCA Title 56.

(House Bills cont.)

**HB 1723 by \*Lundberg (\*SB 1363 by \*Johnson )**

Insurance Companies, Agents, Brokers, Policies - As introduced, expands the definition of National Association of Insurance Commissioners to include any successive organization. - Amends TCA Title 56.

**HB 1724 by \*Lundberg (\*SB 0497 by \*Burchett )**

Criminal Offenses - As introduced, creates new felony criminal offense "retail theft." - Amends TCA Title 39, Chapter 14 and Title 40.

**HB 1725 by \*Lundberg, Mumpower (SB 1950 by \*Ramsey )**

Bristol - As introduced, subject to local approval, removes recall, initiative, and referendum provisions from charter. - Amends amend Chapter 84 of the Private Acts of 1991; as amended.

**HB 1726 by \*Carr (\*SB 0295 by \*Johnson )**

Criminal Offenses - As introduced, creates a Class A misdemeanor offense for a person to knowingly provide, transfer, or submit to any other person false identification for the purposes of obtaining or maintaining employment. - Amends TCA Title 39, Chapter 14; Title 39, Chapter 17 and Title 50.

**\*HB 1727 by \*Mumpower (SB 1960 by \*Crowe )**

Insurance, Health, Accident - As introduced, requires health insurance policies and contracts to cover treatment of lymphedema. - Amends TCA Title 56.

**HB 1728 by \*Sontany (\*SB 0645 by \*Marrero B )**

TennCare - As introduced, seeks to enhance federal funding for TennCare and Coverkids through implementing certain options under 2009 federal Children's Health Insurance Plan legislation. - Amends TCA Title 71.

**HB 1729 by \*Sontany (\*SB 0501 by \*Burchett )**

Criminal Offenses - As introduced, makes assault with strangulation or attempt to cause serious bodily injury by strangulation an aggravated assault. - Amends TCA Title 39, Chapter 13, Part 1.

**HB 1730 by \*Sontany (\*SB 1542 by \*Burchett )**

Criminal Procedure - As introduced, modifies the definition of "qualified defendant" for purposes of rendering certain sexual offenders ineligible for probation and expunction of official records. - Amends TCA Section 40-35-313.

**HB 1731 by \*Sontany (\*SB 1549 by \*Burchett )**

Boards and Commissions - As introduced, enacts the "Tennessee Pet Groomers Act". - Amends TCA Title 62.

**\*HB 1732 by \*Hackworth, Hensley (SB 1965 by \*Johnson )**

TennCare - As introduced, requires the bureau of TennCare to reimburse crossover claims for full benefit dual eligibles at 100 percent of the Medicare allowable charge for pharmacy services. - Amends TCA Title 71, Chapter 5.

**HB 1733 by \*Bone (\*SB 1410 by \*Ketron )**

Cooperatives - As introduced, repeals the provision relative to microwave systems licensed by the federal communications system as multi-channel/multipoint distribution systems. - Amends TCA Title 65, Chapter 25, Part 2.

**HB 1734 by \*Camper (\*SB 0704 by \*Tate )**

Taxes - As introduced, enacts the "Tennessee Employer Privilege Tax Act." - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 39; Title 40 and Title 67.

**HB 1735 by \*Camper (\*SB 0714 by \*Tate )**

Law Enforcement - As introduced, increases the tax on intoxicating liquors and cigarettes to fund crime prevention grants. - Amends TCA Title 4, Chapter 3, Part 10; Title 16; Title 33; Title 57 and Title 67.

**HB 1736 by \*Fincher (\*SB 0309 by \*Berke, Jackson )**

Guns - As introduced, grants a shooting range that had been in operation for at least 30 years prior to December 16, 2008, the right to continue operating at the same location and such right shall not be amended, restricted, or terminated due to zoning changes. - Amends TCA Section 39-17-316.

**\*HB 1737 by \*Fincher**

Elderly Persons - As introduced, requires the departments of health and human services to make certain reports to the general assembly concerning nursing homes and adult protective services. - Amends TCA Title 68 and Title 71.

(House Bills cont.)

**HB 1738 by \*Niceley (\*SB 1585 by \*Burchett )**

Animals and Animal Cruelty - As introduced, establishes recording fee for registering certain pedigreed livestock; creates penalty for knowingly recording or presenting a fraudulent pedigree. - Amends TCA Title 44.

**\*HB 1739 by \*Niceley**

Teachers, Principals and School Personnel - As introduced, makes teacher effect data for tenured teachers public records and requires the data to be posted on the Internet. - Amends TCA Title 49, Chapter 1, Part 6.

**HB 1740 by \*Kelsey (\*SB 1829 by \*Kyle )**

Taxes, Personal Property - As introduced, tolls time period for taxpayer to file amended schedule of personal property when taxpayer's personal property account has been audited and the audit reveals that the assessment should be adjusted downward. - Amends TCA Title 67, Chapter 5.

## **SECOND CONSIDERATION**

HB's 1138 – 1165 and 1167 – 1499 were passed on second consideration.

2/18/09

HELD ON DESK - HB's 690, 696.

CAPTION, HELD ON DESK - HB's 692, 701, 714, 749, 780, 781, 878, 902, 903, 904, 905, 909, 926, 954, 964, 977, 1090.

AGRICULTURE - HB's 717, 720, 721, 727, 789.

CHILDREN & FAMILY AFFAIRS - HB's 802, 803, 804, 805, 806, 831, 877, 929, 1131, 1132, 1133.

COMMERCE - HB's 752, 753, 755, 771, 792, 793, 843, 852, 863, 867, 888, 912, 913, 965, 971, 978, 1109, 1110.

CONSERVATION & ENVIRONMENT - HB's 725, 882, 899, 958, 963, 966, 970, 973.

CONSUMER & EMPLOYEE AFFAIRS - HB's 734, 751, 763, 764, 765, 773, 775, 776, 820, 826, 838, 857, 873, 900.

EDUCATION - HB's 687, 688, 694, 712, 715, 767, 777, 782, 785, 794, 795, 797, 808, 811, 812, 816, 821, 835, 836, 839, 842, 849, 854, 864, 868, 870, 874, 880, 881, 883, 892, 915, 921, 922, 923, 934, 947, 948, 952, 967, 975, 976, 1104, 1107.

FINANCE, WAYS & MEANS - HB's 693, 695, 733, 754, 772, 809, 810, 848, 901, 908, 910, 911, 916, 917, 949, 953, 984.

GOVERNMENT OPERATIONS - HB's 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1077, 1078, 1079, 1080, 1081, 1083, 1084, 1087, 1088, 1089, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1103.

HEALTH & HUMAN RESOURCES - HB's 702, 722, 723, 728, 729, 762, 783, 807, 817, 819, 837, 846, 862, 928, 931, 935, 936, 950, 1113, 1114, 1124.

JUDICIARY - HB's 699, 700, 703, 707, 708, 709, 716, 719, 724, 730, 736, 747, 748, 770, 778, 784, 787, 796, 798, 800, 814, 815, 823, 844, 855, 856, 861, 871, 887, 898, 918, 919, 925, 927, 932, 937, 940, 959, 960, 961, 962, 969, 972, 974, 1108, 1111, 1118, 1119, 1120, 1121, 1123, 1130.

STATE & LOCAL GOVERNMENT - HB's 713, 718, 726, 732, 739, 740, 741, 742, 743, 744, 745, 746, 756, 757, 758, 759, 761, 774, 779, 788, 799, 801, 813, 818, 824, 840, 845, 850, 851, 858, 875, 876, 889, 894, 895, 906, 907, 933, 938, 939, 942, 944, 956, 957, 980, 1115, 1117.

TRANSPORTATION - HB's 705, 706, 731, 886, 920, 924, 985, 1116, 1128.

## **THIRD CONSIDERATION**

Consent Calendar:

HR 20 – ADOPTED 95-0-1.

HJR's 105, 110, 111 – ADOPTED 95-0-1.

(Third Considerations cont.)

Regular Calendar:

HJR 99 – ADOPTED v.v.

HJR 100 – ADOPTED v.v.

**OTHER ACTION**

HJR 114 – s/r Intro., HELD on desk.

Fiscal Review appointments: Republicans: Curry Todd, Harry Brooks, Donna Rowland, Tony Shipley, Steve McManus, Curtis Johnson. Democrats: Mary Pruitt, Eddie Yokley, Charles Curtiss, Craig Fitzhugh.

**COMMITTEE CALENDARS FOR TUESDAY, FEBRUARY 24, 2009**

AGRICULTURE – HHR #29 – 9:15 a.m. –

NO BILLS ON NOTICE – committee will meet. Presentations: University of TN, Institute of Agriculture.

CONSERVATION & ENVIRONMENT – HHR #29 – 10:30 a.m. –

NO BILLS ON NOTICE – committee will meet.

FINANCE, WAYS & MEANS – HHR #16 – 1:30 p.m. –

HB's 74, 418, 420, 421.

STATE & LOCAL GOVERNMENT – HHR #16 – 12:00 noon –

HB 419. Open Records/Ombudsman Presentation.

TRANSPORTATION – HHR #16 – 3:00 p.m. –

NO BILLS ON NOTICE – committee will meet.

**COMMITTEE CALENDARS FOR WEDNESDAY, FEBRUARY 25, 2009**

CHILDREN & FAMILY AFFAIRS – HHR #16 – 8:30 a.m. –

NO BILLS ON NOTICE – committee will meet. Presentation: Guardian ad Litem.

EDUCATION – HHR #16 – 11:00 a.m. –

NO BILLS ON NOTICE – committee will meet. Presentation: Lottery Scholarship.

GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. –

HB's 990, 991, 1071, 1038, 1040, 1048, 986, 1087, 1021, 1070.

JUDICIARY – HHR #31 – 8:30 a.m. –

HB 1119. Speaker: Jim White, Fiscal Review Committee.

**SUBCOMMITTEE CALENDARS FOR TUESDAY, FEBRUARY 24, 2009**

CIVIL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

HB's 12, 416, 83, 62, 63, 67.

FAMILY JUSTICE – HHR #30 – 9:15 a.m. –

HB's 804, 202.

PROFESSIONAL OCCUPATIONS – HHR #31 – 8:30 a.m. –

HB 93.

PUBLIC HEALTH & FAMILY ASSISTANCE – HHR #30 – 4:00 p.m. –

HJR's 66, 61.

PUBLIC SAFETY – HHR #16 – 4:00 p.m. –

HB's 366, 452, 642, 646.

RURAL ROADS – HHR #31 – 1:30 p.m. –

HB's 100, 213, 216, 231, 298, 342, 509, 1128.

SMALL BUSINESS – HHR #30 – 1:30 p.m. –

HB 644.

**SUBCOMMITTEE CALENDARS FOR WEDNESDAY, FEBRUARY 25, 2009**

BUDGET – HHR #29 – 11:00 a.m. –

HB 85, HJR 3.

CRIMINAL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

HB's 82, 411, 959, 960, 961, 962, 716, 414, 254, 520, 70, 615, HJR 32, HB's 314, 516.

DOMESTIC RELATIONS – HHR #29 – 12:30 p.m. –

HB's 805, 806.

LOCAL GOVERNMENT – HHR #29 – 9:15 a.m. –

HB's 21, 22, 37, 643.

PARKS & TOURISM – HHR #16 – 12:30 p.m. –

NO BILLS ON NOTICE – committee will meet. Presentation by Commissioner James H. Fyke.

STATE GOVERNMENT – HHR #29 – 8:30 a.m. –

HB's 495, 553, 204, 23, 38, 129, 813, 824, HJR 17, HB's 278, 580.

**HOUSE CONVENES AT 5:00 P.M., MONDAY, FEBRUARY 23, 2009**